

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

ANTHONY GUZZONE,

Defendant.

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20-CR-354 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

The Court is in receipt of a letter from defendant Anthony Guzzone, pro se. The letter is attached hereto. The Government is directed to respond to the letter by June 10, 2022.

SO ORDERED.

Dated: May 27, 2022
New York, New York



LEWIS J. LIMAN
United States District Judge

Judge Liman,

On April 19, 2021 I reported to Fort Dix FCI in New Jersey to begin serving my 38 month Federal sentence. On that day I drove to the prison with my wife and three sons with me. I made several commitments to them that morning. The first was that I was so sorry for putting them through this nightmare but also the embarrassment it brings. I promised them I would never be put in this situation again. The second was that I would use this period of incarceration to become a better version of myself, focusing on my mind, body and soul. The term that I used that morning was to create Anthony 2.0. The third and final commitment I made to them was that I would work as hard as I could to try and get back to them to start the next chapter of my life. Your honor, this is why I am writing to you today.

I am seeking a reduction in my federal term for the simple reason that I have and will continue to participate in programs that are FSA approved, this will allow me to earn a credited time reduction to my sentence. In my recent meeting on April 27th, 2022 officer Higgins and I discussed the progress that I have made which I have included for your review but reiterated that "I was screwed" and none of the programming and work detail that I have participated in would matter once my file was updated with the status of my NYS detainer. I do not see how my good behavior credits count towards my sentence reduction but the FSA earned time reduction credits do not. He also stated that I fall into a "Rare Case" because the FSA does not properly address my situation. I was told that Congress never addresses my particular set of circumstances so as a result I am unable to earn time off. I was told that you are the only person with the power to reduce my sentence and correct this oversight since Congress may never get around to fix this.

Judge Liman, everyday that I am separated from my family I realize how much they matter to me and how foolish I was. This reduction in my sentence would not allow me to go home early but it would expedite the process and get me to a NYS jail sooner. Once there I can join a program within their system so I can ultimately get back to my wife and three children quicker. As you are aware in NYS prisons you need to earn your good time credits and although my sentences are running concurrently I cannot earn the state reductions unless I am in their prison systems.

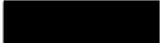
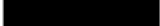
I ran some of the numbers and came to these conclusions. My original sentence of 38 months gets reduced to 32 months with the good time credit. My current outdate without the FSA credit is 1 year not including 6 months of home confinement or halfway house which I have earned by completing the non residential Drug Abuse Program. If you were to grant me the 1 year reduction I would be able to be transferred to NYS prison in December of 2022 rather than December 2023. This is where I would continue to serve my 3-9 year sentence. This would ultimately allow me to earn good time credits in the NYS prison system and get in front of a Parole Board sooner. I have included my NYS sentencing minutes from Judge Farber which demonstrate his willingness to expedite the process and get me in front of a Parole Board sooner.

Finally I have also included all the paperwork officer Higgins shared with me at our meeting for your review. I sincerely hope you have a chance to review my case. I have demonstrated my commitment to turn my life around and have been a model prisoner during my incarceration. I just want to be treated fairly and have the ability to earn time off just like so many other incarcerated individuals. Looking forward to hearing your review on this matter. I am also enclosing my wifes address if you need another way to respond. [REDACTED]
[REDACTED]

Sincerely,

Anthony J. Guzzone

Address: 10435-509
unit 5802
FCI FORT DIX
Box 2000
Joint base MDL
NJ 08640

Name: GUZZONE, ANTHONY
Register No.: 10435-509
Age: 
Date of Birth: 

DNA Status: FTD13944 / 04-19-2021

Inmate (GUZZONE, ANTHONY. Register No.: 10435-509)

Date

Unit Manager / Chairperson

Case Manager

Date

Date

Facility: FTD FORT DIX FCI
 Name: GUZZONE, ANTHONY
 Register No.: 10435-509
 Age: [REDACTED]
 Date of Birth: [REDACTED]

Proj. Rel. Date: 08-16-2023
 Proj. Rel. Mthd: FIRST STEP ACT RELEASE
 DNA Status: FTD13944 / 04-19-2021

Detainers

Detaining Agency	Remarks
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NO DETAINER

Current Work Assignments

Fac	Assignment	Description	Start
FTD	GM 2 WEST	MAINTENANCE MECHANIC	03-22-2022

Current Education Information

Fac	Assignment	Description	Start
FTD	ESL HAS	ENGLISH PROFICIENT	06-03-2021
FTD	GED HAS	COMPLETED GED OR HS DIPLOMA	06-03-2021

Education Courses

SubFac	Action	Description	Start	Stop
FTD		HEALTHY MINDS AND BODIES	08-03-2021	CURRENT
FTD GP	C	HEATING SYSTEM EQUIPMENT	02-20-2022	02-27-2022
FTD GP	C	LANDSCAPING MAINTENANCE	02-13-2022	02-20-2022
FTD GP	C	CREATIVE WRITING I - WEST	01-18-2022	02-08-2022
FTD GP	C	TPC: MATH IN THE PLANT 103	01-16-2022	01-23-2022
FTD GP	C	TPC-HYDRAULIC TROUBLESHOOTING	12-01-2021	12-15-2021
FTD GP	C	TPC-METALS IN THE PLANT	12-01-2021	12-15-2021
FTD GP	C	TPC: BASIC HYDRAULICS (307)	01-02-2022	01-09-2022
FTD GP	C	TPC: PNEUMATIC	12-26-2021	01-02-2022
FTD GP	C	TPC:READING	12-12-2021	12-19-2021
FTD GP	C	CLEANING CHEMICALS	12-05-2021	12-12-2021
FTD GP	C	PUMP INSTALLATN & MAINTNCE 344	11-07-2021	11-14-2021
FTD GP	C	HAND TOOLS	10-31-2021	11-07-2021
FTD GP	C	MACHINE SHOP PRACTICES 315	10-24-2021	10-31-2021
FTD GP	C	UNDRSTND BASIC AC CONTROL EQUI	10-03-2021	10-10-2021
FTD GP	C	TPC: TROUBLESHOOTING SKILLS110	09-12-2021	09-19-2021
FTD GP	C	PLUMBING SYSTEMS-BLDG & GRNDS	08-29-2021	09-05-2021
FTD GP	C	INDUSTRIAL RIGGING PRACT TPC	08-22-2021	08-29-2021
FTD GP	C	BASIC PNEUMATICS 309	07-25-2021	08-01-2021
FTD GP	C	ELECTRICAL SAFETY	07-11-2021	07-18-2021
FTD GP	C	TPC:BSC ELCTRCTY&ELCTRNCs 201	07-05-2021	07-11-2021
FTD GP	C	NONMETALS IN THE PLAN 106	06-20-2021	06-27-2021
FTD GP	C	PORTABLE POWER TOOLS	06-13-2021	06-20-2021
FTD GP	C	READING BLUEPRINTS 101 - TPC	06-07-2021	06-13-2021

Discipline History (Last 6 months)

Hearing Date	Prohibited Acts
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** NO INCIDENT REPORTS FOUND IN LAST 6 MONTHS **

Current Care Assignments

Assignment	Description	Start
CARE1-MH	CARE1-MENTAL HEALTH	04-27-2021
CARE2	STABLE, CHRONIC CARE	05-05-2021

Current Medical Duty Status Assignments

Assignment	Description	Start
LOWER BUNK	LOWER BUNK REQUIRED	04-30-2021
NO PAPER	NO PAPER MEDICAL RECORD	04-20-2021



Assignment	Description	Start
REG DUTY	NO MEDICAL RESTR-REGULAR DUTY	05-21-2021
YES F/S	CLEARED FOR FOOD SERVICE	04-29-2021

Current Drug Assignments

Assignment	Description	Start
DAP QUAL	RESIDENT DRUG TRMT QUALIFIED	06-10-2021
ED COMP	DRUG EDUCATION COMPLETE	09-20-2021
ELIGIBLE	18 USC 3621 RELEASE ELIGIBLE	07-13-2021
NR COMP	NRES DRUG TMT/COMPLETE	02-28-2022

FRP Payment Plan

Most Recent Payment Plan

FRP Assignment: **COMPLT** **FINANC RESP-COMPLETED** Start: **12-08-2021**

Inmate Decision: **AGREED** **\$75.00** Frequency: **SINGLE**

Payments past 6 months: **\$0.00** Obligation Balance: **\$0.00**

Financial Obligations

No.	Type	Amount	Balance	Payable	Status
1	ASSMT	\$100.00	\$0.00	IMMEDIATE	COMPLETEDZ
** NO ADJUSTMENTS MADE IN LAST 6 MONTHS **					
2	REST FV	\$574,005.33	\$0.00	IMMEDIATE	COMPLETEDZ
** NO ADJUSTMENTS MADE IN LAST 6 MONTHS **					

FRP Deposits

Trust Fund Deposits - Past 6 months: **\$330.00** Payments commensurate ? **Y**

New Payment Plan: **** No data ****

Current FSA Assignments

Assignment	Description	Start
FTC ELIG	FTC-ELIGIBLE - REVIEWED	05-10-2021
N-ANGER N	NEED - ANGER/HOSTILITY NO	04-27-2022
N-ANTISO R	NEED - ANTISOCIAL PEERS REFUSE	04-27-2022
N-COGN TV R	NEED - COGNITIONS REFUSE	04-27-2022
N-DYSLEX N	NEED - DYSLEXIA NO	04-29-2021
N-EDUC N	NEED - EDUCATION NO	04-27-2022
N-FIN PV N	NEED - FINANCE/POVERTY NO	04-27-2022
N-FM/PAR R	NEED - FAMILY/PARENTING REFUSE	04-27-2022
N-M HLTH N	NEED - MENTAL HEALTH NO	04-27-2022
N-MEDICL Y	NEED - MEDICAL YES	04-27-2022
N-RLF N	NEED - REC/LEISURE/FITNESS NO	04-27-2022
N-SUB AB N	NEED - SUBSTANCE ABUSE NO	04-27-2022
N-TRAUMA N	NEED - TRAUMA NO	04-27-2022
N-WORK Y	NEED - WORK YES	04-27-2022
R-MIN	MINIMUM RISK RECIDIVISM LEVEL	04-27-2022

Progress since last review

Since last review, inmate returned from WRIT, general maintenance for work detail, completed numerous programs within past year, currently enrolled in one program, has maintained positive communication with his family and friends as recommended by Unit Team, has maintained favorable health, has completed the 12 hour drug program, displays no signs of mental health disorders, has maintained clear conduct, continues to make payments to his financial obligations via IFRP OR has completed his financial payments via FRP, utilizes his leisure time in a productive manner, and displays good living skills by keeping his living area clean and orderly.

Next Program Review Goals

Inmate is expected to enroll in two educational programs of his choosing, continue attending classes in a satisfactory manner, submit a cop out to Unit Team requesting work detail assignment, once assigned maintain Good or better work evaluations, communicate at least three times per week with family and friends to maintain community ties, submit a cop out to health services during sick call to address any health related issues, speak with psychology to see if eligible for RDAP, follow all rules and regulations set forth by the institution, make timely payments to FRP, and follow all sanitation rules.

Long Term Goals

REGNO...: 10435-509 NAME: GUZZONE, ANTHONY

FBI NO.....: R85DXHPAE
 ARS1.....: FTD/A-DES
 UNIT.....: UNIT 5802
 DETAINERS.....: NO

DATE OF BIRTH: [REDACTED] AGE: [REDACTED]
 QUARTERS.....: N03-213L
 NOTIFICATIONS: NO

FSA ELIGIBILITY STATUS IS: ELIGIBLE

THE FOLLOWING SENTENCE DATA IS FOR THE INMATE'S CURRENT COMMITMENT.

HOME DETENTION ELIGIBILITY DATE....: 04-24-2023

FINAL STATUTORY RELEASE FOR INMATE.: 12-29-2023 VIA GCT REL
 WITH APPLIED FSA CREDITS.: 135 DAYS

THE INMATE IS PROJECTED FOR RELEASE: 08-16-2023 VIA FSA REL

REMARKS.....: 02-07-2022: PRD ADJ DUE TO FSA FTC APPLIED. D/MLM

-----CURRENT JUDGMENT/WARRANT NO: 010 -----

COURT OF JURISDICTION.....: NEW YORK, SOUTHERN DISTRICT
 DOCKET NUMBER.....: 20-CR-00354-LJL-1
 JUDGE.....: LIMAN
 DATE SENTENCED/PROBATION IMPOSED: 01-19-2021
 DATE COMMITTED.....: 04-19-2021
 HOW COMMITTED.....: US DISTRICT COURT COMMITMENT
 PROBATION IMPOSED.....: NO

	FELONY ASSESS	MISDMNR ASSESS	FINES	COSTS
NON-COMMITTED.:	\$100.00	\$00.00	\$00.00	\$00.00

RESTITUTION...	PROPERTY:	NO	SERVICES:	NO	AMOUNT:	\$574,005.33
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-----CURRENT OBLIGATION NO: 010 -----

OFFENSE CODE.....: 193 INTERNAL REVENUE INCOME TAX
 OFF/CHG: 26:7201.F ATTEMPT TO EVADE OR DEFEAT TAX(CT1)

SENTENCE PROCEDURE.....: 3559 PLRA SENTENCE
 SENTENCE IMPOSED/TIME TO SERVE.: 38 MONTHS
 TERM OF SUPERVISION.....: 3 YEARS
 DATE OF OFFENSE.....: 07-14-2020

G0002 MORE PAGES TO FOLLOW . . .

REGNO...: 10435-509 NAME: GUZZONE, ANTHONY

-----CURRENT COMPUTATION NO: 010 -----

COMPUTATION 010 WAS LAST UPDATED ON 02-07-2022 AT DSC AUTOMATICALLY
COMPUTATION CERTIFIED ON 04-30-2021 BY DESIG/SENTENCE COMPUTATION CTR

THE FOLLOWING JUDGMENTS, WARRANTS AND OBLIGATIONS ARE INCLUDED IN
CURRENT COMPUTATION 010: 010 010

DATE COMPUTATION BEGAN.....: 04-19-2021
TOTAL TERM IN EFFECT.....: 38 MONTHS
TOTAL TERM IN EFFECT CONVERTED...: 3 YEARS 2 MONTHS
EARLIEST DATE OF OFFENSE.....: 07-14-2020

JAIL CREDIT.....: FROM DATE THRU DATE
07-14-2019 07-14-2019

TOTAL PRIOR CREDIT TIME.....: 1
TOTAL INOPERATIVE TIME.....: 0
TOTAL GCT EARNED AND PROJECTED...: 171
TOTAL GCT EARNED.....: 54
STATUTORY RELEASE DATE PROJECTED: 12-29-2023
ELDERLY OFFENDER TWO THIRDS DATE: 05-29-2023
EXPIRATION FULL TERM DATE.....: 06-17-2024
TIME SERVED.....: 1 YEARS 10 DAYS
PERCENTAGE OF FULL TERM SERVED...: 32.4
PERCENT OF STATUTORY TERM SERVED: 38.0

PROJECTED SATISFACTION DATE.....: 08-16-2023
PROJECTED SATISFACTION METHOD....: FSA REL
WITH FSA CREDITS INCLUDED....: 135

REMARKS.....: DCB=V/S DATE OF 4-19-2021 TO FTD D/MPA.

G0000 TRANSACTION SUCCESSFULLY COMPLETED

(A) IDENTIFYING DATA

REG NO.: 10435-509 FORM DATE: 03-22-2022 ORG: FTD
 NAME: GUZZONE, ANTHONY
 MGTV: NONE
 PUB SFTY: NONE MVED:

(B) BASE SCORING

DETAINER: (3) MODERATE SEVERITY: (3) MODERATE
 MOS REL.: 21 CRIM HIST SCORE: (00) 0 POINTS
 ESCAPES: (0) NONE VIOLENCE: (0) NONE
 VOL SURR: (3) VOL SURR AGE CATEGORY: (2) 36 THROUGH 54
 EDUC LEV: (0) VERFD HS DEGREE/GED DRUG/ALC ABUSE: (1) <5 YEARS

(C) CUSTODY SCORING

TIME SERVED: (4) 26-75% PROG PARTICIPAT: (2) GOOD
 LIVING SKILLS: (2) GOOD TYPE DISCIP RPT: (5) NONE
 FREQ DISCIP RPT: (3) NONE FAMILY/COMMUN: (4) GOOD

--- LEVEL AND CUSTODY SUMMARY ---

BASE CUST	VARIANCE	SEC TOTAL	SCORED LEV	MGMT	SEC LEVEL	CUSTODY	CONSIDER
+6	+20	-4	+2	MINIMUM	N/A	IN	DECREASE

G5149 INMATE/DESIG FACL LEVEL MISMATCHED, HAVE DSCC ADD A MGTV
 G0005 TRANSACTION SUCCESSFULLY COMPLETED - CONTINUE PROCESSING IF DESIRED

FCL	ASSIGNMENT DESCRIPTION	START DATE/TIME	STOP DATE/TIME
FTD	BRN HLTH P BRAIN HEALTH AS YOU AGE PART	11-17-2021 1308	CURRENT
FTD	LIV CHRN C LIVE HEALTH W CHRONIC CON COMP	04-18-2022 1310	04-18-2022 1310
FTD	LIV CHRN P LIVE HEALTH W CHRONIC CON PART	04-18-2022 1305	04-18-2022 1310
FTD	ARTH FND C ARTHRITIS FOUNDATION WALK COMP	07-14-2021 0001	07-14-2021 1240
FTD	ARTH FND P ARTHRITIS FOUNDATION WALK PART	05-30-2021 0001	07-14-2021 0001

G0000 TRANSACTION SUCCESSFULLY COMPLETED

Complete two educational programs, including Evidence Based Recidivism Reducing and Productive Activities programs, enroll in VT or ACE program to enhance employable skills for release, create resume detailing employable skills for release, submit a cop out to health services to have an annual physical evaluation performed, if not eligible for RDAP attempt to complete Non RDAP, maintain two years of clear conduct, complete financial obligation payments, and attempt to save \$25 a month in order to establish a savings for release. Unit Team will follow up by 04/23.

RRC/HC Placement

Recommended Placement in a range between 91-120 days.
Consideration has been given for Five Factor Review (Second Chance Act):

- Facility Resources
- Offense
- Prisoner
- Court Statement
- Sentencing Commission

Comments

*** PREA risk factors were reviewed ***

SUPREME COURT OF THE STATE OF NEW YORK.
COUNTY OF NEW YORK: CRIMINAL TERM: PART: 52

- - - - -X
THE PEOPLE OF THE STATE OF NEW YORK

- against- Indictment No
4037/2018
SENTENCE

ANTHONY J. GUZZONE
Defendant.
- - - - -X

111 Centre Street
New York, New York 10013

March 16, 2022

B E F O R E :HONORABLE THOMAS FARBER,
JUSTICE OF THE SUPREME COURT

A P P E A R A N C E S

FOR THE PEOPLE:
ALVIN BRAGG, ESQ.
New York County District Attorney
BY: CHRISTOPHER BEARD, ESQ.
JAMES HANLEY, ESQ.
Assistant District Attorneys

FOR THE DEFENDANT:
QUINN, EMANUEL, URQUHART & SULLIVAN ESQS.
51 Madison Avenue
New York, New York
BY: JOANNE MENILLO, ESQ.
Of Counsel

Lisa Minelli
Senior Court Reporter

1 THE CLERK: Calendar number four, Anthony Guzzone
2 4037 of 2018. Appearances

3 MR. BEARD: Christopher Beard and James Hanley for
4 the People.

5 MS. MENILLO: Good afternoon, your Honor, Joanne
6 Menillo, Quinn, Emanuel, Urquhart & Sullivan, 51 Madison
7 Avenue, New York, New York for Anthony Guzzone.

8 Your Honor can I have a moment to talk to my client
9 because I didn't get to see him before.

10 THE COURT: Yes.

11 MS. MENILLO: Thank you, your Honor. We're ready.

12 THE CLERK: Anthony Guzzone, you are before the
13 Court for sentencing following your conviction by plea to
14 the crime of Grand Larceny in the First Degree.

15 Before being sentenced, the Court will allow you,
16 your attorney and the District Attorney an opportunity to be
17 heard regarding any matter relevant to sentence.

18 For the People.

19 MR. BEARD: Yes, your Honor. I would just first
20 note that Mr. Guzzone entered into a written plea agreement
21 on March 23, 2020, with the District Attorney's office in
22 the terms of which were approved by the Court.

23 Mr. Guzzone is in a slightly different posture than
24 Mr. Olson and Mr. Nigro in that, of course, you recall he
25 was indicted on two separate indictments that were

1 consolidated under 4037, because of his capacity at
2 Bloomberg LP as the head of their construction.

3 He was actually participating in two somewhat
4 similar schemes, bribery schemes, and such, but one of those
5 was he and he alone, or I should say the Bloomberg part,
6 where it was dealing with those contractors who had
7 maintenance contracts to maintain the Bloomberg properties,
8 which is then separate and apart from 4037, the indictment
9 which he was charged with Mr. Olson, Mr. Nigro and the
10 others for participating in the overarching scheme to steal
11 millions of dollars from his own employer.

12 I believe that he recognized that the plea
13 agreement was in his best interest rather than facing both
14 indictments.

15 Under the terms of that agreement, we agreed to the
16 imposition of a single sentence of 3 to 9 years.

17 Likewise, that 3 to 9 to run concurrently with his
18 Federal sentence and would agree also to that being nunc pro
19 tunc back to April the 19th of 2021, which is when he
20 surrendered to Fort Dix, where he is currently serving his
21 sentence there.

22 I have nothing further, your Honor.

23 THE COURT: Yes.

24 MS. MENILLO: Thank you, your Honor. I'll keep it
25 brief, because we've been here all day, but also I would be

1 remiss not to say a couple of words on behalf of my client.

2 Your Honor, as I mentioned a couple of months ago
3 in an email to you, today we would be asking for leniency
4 and we're doing that. Sitting before you Anthony Guzzone is
5 a man remorseful, contrite.

6 He doesn't seek to minimize his conduct at all. He
7 accepts responsibility. He is here before you asking for an
8 opportunity for your Honor to take consideration and grant
9 him leniency, because of his history, his background, and
10 everything he's done so far.

11 Other than the conduct underlying his Federal and
12 State cases, he truly has lead an exemplary life.

13 He started working when he was ten years old,
14 woodworking on his spare time as an apprentice to an
15 electrician in high school and worked his way all the way
16 up.

17 While he was at Bloomberg, he excelled. Year over
18 year he was promoted, until finally he was the head of
19 global operations for construction there.

20 In that role, he earned the respect and admiration
21 of his colleagues, but unfortunately along the way his
22 aspiration were always to leave a legacy for his family,
23 that his children would live up to. Unfortunately, along
24 the line he lost his way. He admits fully the conduct he
25 engaged in was unlawful, wrong and that there was no excuse

1 for it, but he already started to pay dearly for the
2 consequences of his action.

3 As your Honor is aware, he is serving a
4 thirty-eight term of prison in Federal custody. He served
5 eleven months so far.

6 He has not made light of his time. He's taken
7 every opportunity while he is in to do everything he can to
8 better himself.

9 As your Honor remarked the last conference, I think
10 he does about a thousand push-ups a day keeping himself in
11 fit physical health. He extends beyond that. He's done a
12 number of different educational courses in the eleven months
13 he's been in, every opportunity he can.

14 I think at last count it was over one hundred
15 fifty hours of educational work.

16 He's been working as a maintenance mechanic since
17 July and taken this opportunity to address his mental health
18 issues too as he does suffer from alcoholism.

19 He is already successfully completed a twelve hour
20 drug education program and completed a forty hour drug
21 treatment program.

22 All of this demonstrates his capacity for
23 rehabilitation. His willingness to better himself.

24 Before he was even arrested for many, many years he
25 engaged in numerous amounts of charitable organizations and

1 events that he ran himself.

2 Following the devastating attacks of this city on
3 September 11th, Anthony understood up and did his part.

4 He helped organize and manage the largest police
5 officer and fire fighter relief center.

6 He built offices for the firms most impacted by the
7 terrorist attacks.

8 He used his experience in the garment industry to
9 weave velvet satchels that were placed over the urns of the
10 fallen firefighters and police officers, but your Honor what
11 I think speaks most to his capacity and his commitment to
12 helping others, are the actions that he undertook following
13 the untimely death of a friend and colleague, Anthony Bono.
14 Mr. Bono died at forty-five. He left behind a wife and four
15 children.

16 Anthony again stepped up to the plate. He
17 organized and managed an annual fundraiser that ran for over
18 ten years to collect funds to pay for the living expenses
19 and education of Mr. Bono's children.

20 As I mentioned when I started, your Honor, this is
21 a man who accepts responsibilities for his actions.

22 He makes no excuses for his conduct, but he's
23 already suffering his punishment.

24 I know that your Honor mentioned in my previous,
25 our previous email exchanges, that you always keep an open

1 mind at sentence and based on what I've heard today, I'm not
2 going to ask your Honor for 1 and 1/3 to 4 years
3 understanding your Honor's position with respect to the
4 seriousness of these crimes, but I do think an imposition of
5 a sentence, if your Honor is willing to consider leniency,
6 of 2 to 6 years, would create a situation where Anthony can
7 finish his Federal time and immediately be eligible to
8 petition for parole and hopefully will get that parole
9 petition granted and be able to return to his family, who is
10 sitting in the courtroom today and eagerly awaits his
11 return.

12 Your Honor, if it's okay with you, I'm sure Mr.
13 Guzzone would like to address you directly for a couple of
14 minutes, but that's all I have right now.

15 THE COURT: It's not only okay with me, it's
16 encouraged and provided by the law.

17 THE DEFENDANT: Your Honor, it's with great sorrow
18 and regret that I come before you. I have spent the last
19 four years thinking of what I've done wrong, and what I
20 should have done differently.

21 I often think about what my life would be like if I
22 could turn back time and right all the wrongs that I have
23 done. Unfortunately I can't. I now must be held
24 accountable for all the bad choices that I have made.

25 I was taught the importance of integrity, honesty

1 and hard work. Along the way I lost site of these very
2 principles.

3 Having spent my entire life working in the
4 construction industry, I for the most part stood clear of an
5 industry full of corruption, but as the years went on, I
6 gradually broke down and invited poor decisions to lead me
7 where I am today.

8 When I realized how wrong it was, it was too late.

9 I didn't know how to write the ship and was afraid
10 to turn back. It was a slippery slope. I made bad choices.

11 I'm sorry for what I've done and pain that I have
12 caused to all those that love me, especially my wife, my
13 kids, my mom and extended family members.

14 I've let them down, embarrassed them and know that
15 without me they will continue to suffer because of my
16 actions.

17 I've also mislead my employer and a large community
18 of business associates and friends that I still have not
19 spoken with since this all started.

20 I may never be able to regain their forgiveness and
21 earn back honor and respect that I had worked so hard to
22 achieve.

23 The one thing that keeps me going is that I do
24 believe in second chances. I only hope after serving my
25 sentence I will be able to restart my life in a community

1 that feels the same.

2 As part of my penance, I plan to do whatever I can
3 to help the next generation of construction professionals,
4 to learn from the bad decisions I have made and how
5 important it is not to go with the flow, but to be a true
6 leader and not fall victim to an industry riddled with
7 corruption.

8 I had responsibilities to prevent this behavior and
9 I failed. I was a top performer in my role. I did a great
10 job. None of that justifies the illegal activities that I
11 participated in.

12 In my mind today marks a very dark time in my life.
13 One that I will never forget and work to correct.

14 I wanted to leave my three boys a proud legacy of
15 their father. This has taken me off course. I will spend
16 the rest of my days correcting. Today starts a new
17 beginning for me, as I plan a new course to move forward and
18 accept any sentence your Honor feels appropriate.

19 Before doing so, you should know that law and order
20 are important to me and necessary in a fair and just
21 society.

22 I will never ever be in this position again.

23 I would like to thank the Court for allowing me to
24 speak today and spending the time reviewing all the relevant
25 documents to my case.

1 I would also like to thank law enforcement for
2 putting an end to this nightmare and bringing me to justice.

3 Most importantly, I would like to thank God for
4 giving me my family the strength to weather this storm and
5 blessing to put my life back together.

6 Your Honor, I'm a good decent family man that
7 strayed off course. I hope and pray you'll grant me
8 leniency that I can become eligible to enter space in
9 federal residential drug and alcohol abuse program, which
10 would give me the necessary training and coping skills that
11 I so desperately need and allow me to return to my family
12 better than when I left.

13 Without this reduction in time and the removal of
14 the New York State detainer, I will continue to serve the
15 remainder of my sentence in a federal low (sic) rather than
16 a can. Will not be eligible to participate in the Federal
17 First Step Act programs and upon completion of my Federal
18 term will be transferred to New York State prison until I'm
19 eligible for parole there, which was not my understanding
20 when I thought I was signing a concurrent plea agreement.

21 Your Honor, please consider the harsh impact that
22 this detainer will have on my already imposed thirty-eight
23 month Federal sentence in your ruling. I can only hope and
24 pray that you grant me this opportunity to improve myself
25 while I remain incarcerated.

1 Thank you.

2 THE COURT: Thank you. First, as I pointed out with
3 the prior Defendants there is nothing I can do to remove the
4 New York State detainer, other than give the Defendant a
5 sentence of time served, which in his case would be a
6 sentence of 1 to 3, which I do not intend to do.

7 I should also say that I read everything that was
8 submitted to me on Mr. Guzzone's behalf, including the
9 letters from his family.

10 It was clear to me that Mr. Guzzone is not only
11 asking for forgiveness from them, he is obviously fully
12 supported by his family, they have forgiven him to the
13 extent that they believe forgiveness was necessary.

14 As I said with the prior Defendants and also except
15 for Mr. Guzzone, I am not sentencing Mr. Guzzone because I
16 think he needs either rehabilitation or because I think
17 society needs him out of the way.

18 I accept what Mr. Guzzone has said to me, that he
19 understands the seriousness of what he has done.

20 That he will never do it again and that he will
21 continue to strive to make up for his mistakes.

22 The sentence that I'm imposing is the sentence
23 that's agreed upon and although I always will keep an open
24 mind as to sentence, any sentence that I gave has to be in
25 my view a fair and just sentence.

1 I do not think that the 3 to 9 years that's agreed
2 upon is not fair and just.

3 The sentence is warranted, as I mentioned with the
4 other Defendants, less by the need to keep somebody like Mr.
5 Guzzone out of society or by the need to punish specifically
6 for the level of crime that he committed, but by the need to
7 acknowledge the seriousness of the crime and the harm that
8 it does, not only to Bloomberg who trusted Mr. Guzzone with
9 their money, or to Turner, or to the people who worked for
10 Bloomberg and Turner, or from anybody else that is not
11 receiving kickbacks or taking bribes.

12 I'm sorry. It's late. I may have lost my train of
13 thought with that long sentence, but it's important to
14 acknowledge in this case that as I said with the prior
15 Defendants, that while this kind of crime does not make the
16 New York Post everyday, this is not physical and might not
17 seem to be as harmful, as the violent street crime that we
18 read about everyday.

19 This was a theft of staggering proportions and Mr.
20 Guzzone was a key player in that.

21 I think he acknowledges that. I except the
22 acknowledgment, but the sheer magnitude of the bribes,
23 kickbacks and other frauds that were perpetrated on
24 Bloomberg, Turner and the construction industry in general
25 require this kind of sentence in my view.

1 So I am sentencing the Defendant to a sentence of 3
2 years State prison, minimum 9 years maximum indeterminate
3 sentence.

4 I will impose the mandatory surcharges and crime
5 victims's assistance fee and DNA databank fee.

6 I will make that sentence nunc pro tunc to
7 September --

8 MR. BEARD: April 19, 2021.

9 THE COURT: April 19, 2021. I will run it
10 concurrently with the sentence that was imposed by the
11 Federal courts.

12 I also will do as I said, anything that is within
13 my power to insure that Mr. Guzzone is not caught up in a
14 bureaucratic nightmare between the Federal and State courts
15 that makes it impossible for him to be considered for
16 parole.

17 Without commenting on whether he is a good
18 candidate for parole, it does seem to me that he should not
19 be left in a position where he's not even being considered
20 for parole because of the interplay between the Federal and
21 State sentences. There is nothing I can do about that other
22 than give him the sentence of time served, which is
23 inappropriate. By that I mean 1 to 3. That's my sentence.

24 MR. BEARD: For the Clerk, your Honor, the Federal
25 case number is 20-CR-354.

1 MS. MENILLO: Your Honor, just for the record I did
2 provide my client with his notice of his right to appeal.

3 THE COURT: Thank you.
4

5 * * * * *

6 The preceding transcript is certified to be a true
7 and correct record of the proceedings in this matter.
8

A handwritten signature in cursive script, reading "Lisa Minelli", is written over a horizontal line.

LISA MINELLI
SENIOR COURT REPORTER

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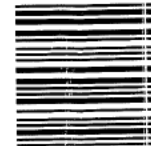
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